

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS

In re: §
§
HICKORY CREEK FARMS, LLC § Case No. 12-11805 TMD
§
Debtor §

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

C. DANIEL ROBERTS, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: 1,000.00 (Without deducting any secured claims)	Assets Exempt: 0.00
Total Distributions to Claimants: 667,030.55	Claims Discharged Without Payment: 0.00
Total Expenses of Administration: 149,969.45	

3) Total gross receipts of \$ 817,000.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$ 817,000.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$ 475,000.00	\$ 1,156,111.67	\$ 667,030.55	\$ 667,030.55
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	NA	150,506.98	150,506.98	149,969.45
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	NA	NA	NA	NA
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	NA	NA	NA	NA
GENERAL UNSECURED CLAIMS (from Exhibit 7)	NA	0.00	0.00	0.00
TOTAL DISBURSEMENTS	\$ 475,000.00	\$ 1,306,618.65	\$ 817,537.53	\$ 817,000.00

4) This case was originally filed under chapter 7 on 08/07/2012 . The case was pending for 62 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 09/20/2017 By: /s/C. DANIEL ROBERTS
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
111 ACRES 10805 FM 1431 MARBLE FALLS, TEXAS 78654	1110-000	767,000.00
NOTE RECEIVABLE	1221-000	35,000.00
ADVERSARY TO RECOVER FRAUDULENT TRANSFER	1241-000	15,000.00
TOTAL GROSS RECEIPTS		\$ 817,000.00

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
NA		NA	NA
TOTAL FUNDS PAID TO DEBTOR & THIRD PARTIES			\$ 0.00

EXHIBIT 3 – SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	Capital Farm Credit P.O. Box 1749 Mason, Texas 76856		475,000.00	NA	NA	0.00

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	CAPITAL FARM CREDIT	4110-000	NA	626,631.16	626,631.16	626,631.16
000001	CAPITAL FARM CREDIT, FLCA	4110-000	NA	489,081.12	0.00	0.00
	BURNET COUNTY, TX	4800-000	NA	39,128.99	39,128.99	39,128.99
	PRO-RATED TAXES	4800-000	NA	1,270.40	1,270.40	1,270.40
TOTAL SECURED CLAIMS			\$ 475,000.00	\$ 1,156,111.67	\$ 667,030.55	\$ 667,030.55

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
C. DANIEL ROBERTS, TRUSTEE	2100-000	NA	36,069.19	36,069.19	36,069.19
JOHN PATRICK LOWE	2100-000	NA	35,000.00	35,000.00	35,000.00
C. DANIEL ROBERTS, TRUSTEE	2200-000	NA	1,261.21	1,261.21	1,261.21
INTERNATIONAL SURETIES, LTD.	2300-000	NA	46.94	46.94	46.94
C DANIEL ROBERTS & ASSOCIATES	2500-000	NA	575.00	575.00	575.00
GOVERNMENT RECORDING DOCUUMENTS	2500-000	NA	28.00	28.00	28.00
GUARANTEE FEE	2500-000	NA	3.00	3.00	3.00

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
OWNERS TITLE INSURANCE	2500-000	NA	5,484.00	5,484.00	5,484.00
TEJAS TAX DATA	2500-000	NA	48.00	48.00	48.00
Union Bank	2600-000	NA	460.69	460.69	460.69
UNITED STATES BANKRUPTCY CLERK	2700-000	NA	176.00	176.00	176.00
C. DANIEL ROBERTS & ASSOCIATES, PC	3110-000	NA	24,072.00	24,072.00	24,072.00
C. DANIEL ROBERTS & ASSOCIATES, PC	3120-000	NA	187.89	187.89	187.89
JOHN MOSLEY	3410-000	NA	1,062.53	1,062.53	537.53
JOHN MOSLEY	3420-000	NA	12.53	12.53	0.00
ANDERS REALTY	3510-000	NA	4,602.00	4,602.00	4,602.00
GRIDIRON LAND COMPANY	3510-000	NA	23,010.00	23,010.00	23,010.00
MARK K HARMAN	3510-000	NA	18,408.00	18,408.00	18,408.00
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		\$ NA	\$ 150,506.98	\$ 150,506.98	\$ 149,969.45

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NA	NA	NA	NA	NA	NA
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		\$ NA	\$ NA	\$ NA	\$ NA

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
NA	NA	NA	NA	NA	NA	NA
TOTAL PRIORITY UNSECURED CLAIMS			\$ NA	\$ NA	\$ NA	\$ NA

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
000003	JOHN PATRICK LOWE, TRUSTEE	7100-000	NA	0.00	0.00	0.00
TOTAL GENERAL UNSECURED CLAIMS			\$ NA	\$ 0.00	\$ 0.00	\$ 0.00

INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page: 1
Exhibit 8

Case No: 12-11805 TMD Judge: TONY M. DAVIS
Case Name: HICKORY CREEK FARMS, LLC

Trustee Name: C. DANIEL ROBERTS
Date Filed (f) or Converted (c): 08/07/12 (f)
341(a) Meeting Date: 09/06/12
Claims Bar Date: 02/22/13

For Period Ending: 03/19/18 (12th reporting period for this case)

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 111 ACRES 10805 FM 1431 MARBLE FALLS, TEXAS 78654	1,100,000.00	767,000.00		767,000.00	FA
2. ONE SHARE IN CAPITAL FARM CREDIT	1,000.00	0.00		0.00	FA
3. INTEREST IN ALLOCATED EQUITIES AT CAP FARM CREDIT	Unknown	0.00		0.00	FA
4. NOTE RECEIVABLE (u)	0.00	12,000.00		35,000.00	FA
5. ADVERSARY TO RECOVER FRAUDULENT TRANSFER (u) FRAUDULENT CONVEYANCE OF EASEMENT	Unknown	0.00		15,000.00	FA

				Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$1,101,000.00	\$779,000.00	\$817,000.00	\$0.00
				(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

MARKETING 111 ACRES NEAR MARBLE FALLS, TX WITH COURT APPROVED REAL ESTATE BROKER
2/15/14 SCHEDULED 2004 EXAMINATION OF DEBTOR'S PRINCIPLE
4/2/14 DEBTOR AMENDED SCHEDULES TO ADD \$35,000 NOTE RECEIVABLE
4/17/14 CONDUCTED 2004 EXAMINATION OF DEBTOR'S PRINCIPLE WHO AGREED TO RECONVEY TO DEBTOR'S
BANKRUPTCY ESTATE 7.3 ACRES WHICH WAS TRANSFERRED BY DEBTOR IMMEDIATELY PRIOR TO CASE FILING.
4/22/14 MADE DEMAND ON NOTE MAKER FOR PAYMENT OF PRINCIPAL AND ACCRUED INTEREST DUE ON NOTE
RECEIVABLE.
5/23/14 REPLACE PRIOR REAL ESTATE BROKER WITH NEW BROKER; FILED APPLICATION TO EMPLOY
6/19/14 ORDER AUTHORIZING EMPLOYMENT OF NEW BROKER; REDUCED PRICE
7/15/14 POSTED PROPERTY WHICH IS COLLATERAL FOR NOTE RECEIVABLE FOR FORECLOSURE FOR FAILURE TO MAKE
NOTE PAYMENTS
8/1/14 NEGOTIATED PAYMENT SCHEDULE FOR NOTE MAKER AND PULLED FORECLOSURE SALE.
8/6/14 FILED ADVERSARY TO RECOVER TRANSFER OF BILLBOARD EASEMENT
10/15/14 CONTINUING TO MARKET REAL ESTATE.
3/2/15 - FINAL NOTE PAYMENT RECEIVED
9/8/15 - CLAIMS REVIEW COMPLETE
10/8/15 NEW SCHEDULING ORDER FOR ADVERSARY; DOCKET CALL IS 2/24/16
10/27/15 CONTINUING TO MARKET REAL ESTATE
2/26/16 FILED MOTION TO APPROVE SALE OF PROPERTY
3/18/16 AGREED ORDER ENTERED APPROVING SALE OF PROPERTY
4/26/16 CLOSING SET FOR 5/15/16
5/26/16 REAL ESTATE CLOSING
6/28/16 SETTLED WITH ALL BUT ONE OF ADVERSARY DEFENDANTS; FILED 9019 MOTION
7/26/16 ORDER APPROVING 9019 MOTION
8/11/16 SETTLED WITH REMAINING ADVERSARY DEFENDANT; FILED 9019 MOTION
9/7/16 ORDER APPROVING 9019 MOTION
9/23/16 CONFIRMED WITH DEBTORS' COUNSEL THAT SETTLEMENT FUNDS ARE IN HIS TRUST ACCOUNT; REQUESTED

FORM 1

**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES**

Page: 2
Exhibit 8

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Trustee Name: C. DANIEL ROBERTS
Date Filed (f) or Converted (c): 08/07/12 (f)
341(a) Meeting Date: 09/06/12
Claims Bar Date: 02/22/13

FUNDS

10/2/16 EMAIL TO DEBTORS' COUNSEL REQUESTING SETTLEMENT FUNDS
10/2/16 COUNSEL PREPARING FEE APPLICATION

Initial Projected Date of Final Report (TFR): 09/06/13

Current Projected Date of Final Report (TFR): 04/20/17

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 1

Exhibit 9

Case No: 12-11805 -TMD
Case Name: HICKORY CREEK FARMS, LLC

Trustee Name: C. DANIEL ROBERTS
Bank Name: Union Bank
Account Number / CD #: *****7936 Checking - Non Interest

Taxpayer ID No: *****9142

For Period Ending: 12/31/17

Blanket Bond (per case limit): \$ 5,000,000.00

Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
08/04/14	4	CLYDE LEE NICHOLAS	BALANCE FORWARD				0.00
		CASHIER'S CHECK	PARTIAL PAYMENT OF NOTE	1221-000	6,000.00		6,000.00
09/25/14		Union Bank	BANK SERVICE FEE	2600-000		15.00	5,985.00
10/16/14	4	CLYDE LEE NICHOLAS	PARTIAL PAYMENT OF NOTE	1221-000	3,000.00		8,985.00
		CASHIER'S CHECK					
10/27/14		Union Bank	BANK SERVICE FEE	2600-000		15.00	8,970.00
11/25/14		Union Bank	BANK SERVICE FEE	2600-000		15.00	8,955.00
12/26/14		Union Bank	BANK SERVICE FEE	2600-000		15.00	8,940.00
01/26/15		Union Bank	BANK SERVICE FEE	2600-000		15.00	8,925.00
02/25/15		Union Bank	BANK SERVICE FEE	2600-000		15.00	8,910.00
02/26/15	4	CLYDE LEE NICHOLAS	PARTIAL PAYMENT OF NOTE	1221-000	15,000.00		23,910.00
		CASHIER'S CHECK					
03/02/15	4	CLYDE LEE NICHOLAS	PARTIAL PAYMENT OF NOTE	1221-000	11,000.00		34,910.00
		CASHIER'S CHECK					
03/25/15		Union Bank	BANK SERVICE FEE	2600-000		15.00	34,895.00
04/27/15		Union Bank	BANK SERVICE FEE	2600-000		50.83	34,844.17
05/04/15	001001	INTERNATIONAL SURETIES, LTD. SUITE 420 701 POYDRAS ST. NEW ORLEANS, LA 70139	BOND AMOUNT # 016017995	2300-000		14.41	34,829.76
05/26/15		Union Bank	BANK SERVICE FEE	2600-000		50.18	34,779.58
06/25/15		Union Bank	BANK SERVICE FEE	2600-000		51.76	34,727.82
07/27/15		Union Bank	BANK SERVICE FEE	2600-000		50.01	34,677.81
08/25/15		Union Bank	BANK SERVICE FEE	2600-000		51.60	34,626.21
09/25/15		Union Bank	BANK SERVICE FEE	2600-000		51.52	34,574.69
10/26/15		Union Bank	BANK SERVICE FEE	2600-000		49.79	34,524.90
03/09/16	001002	U. S. BANKRUPTCY CLERK HOMER THORNBERRY JUDICIAL BLDG.	FILING FEE APPLICATION TO SELL PROPERTY OF THE	2700-000		176.00	34,348.90

Page Subtotals

35,000.00

651.10

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 2

Exhibit 9

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Trustee Name: C. DANIEL ROBERTS
Bank Name: Union Bank
Account Number / CD #: *****7936 Checking - Non Interest

Taxpayer ID No: *****9142
For Period Ending: 12/31/17

Blanket Bond (per case limit): \$ 5,000,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
03/09/16	001003	903 SAN JACINTO, SUITE 322 AUSTIN, TX 78701 INTERNATIONAL SURETIES, LTD. SUITE 420 701 POYDRAS ST. NEW ORLEANS, LA 70139	ESTATE BOND PAYMENTS	2300-000		15.05	34,333.85
05/26/16	1	C. DANIEL ROBERTS & ASSOCIATES, P.C. IOLTA ACCOUNT NO. 1 1602 E. CESAR CHAVEZ AUSTIN, TX 78702	NET SALE OF HICKORY CREEK		47,811.45		82,145.30
	1	119.223 ACRES IN BURNET COUNTY, TX	Memo Amount: 767,000.00 GROSS SALE PRICE OF HICKORY CREEK	1110-000			
		PRO-RATED TAXES	Memo Amount: (1,270.40)	4800-000			
		ANDERS REALTY	Memo Amount: (4,602.00)	3510-000			
		GRIDIRON LAND COMPANY	Memo Amount: (23,010.00)	3510-000			
		MARK K HARMAN	Memo Amount: (18,408.00)	3510-000			
		C DANIEL ROBERTS & ASSOCIATES	Memo Amount: (300.00)	2500-000			
		OWNERS TITLE INSURANCE	Memo Amount: (5,484.00)	2500-000			
		GUARANTEE FEE	Memo Amount: (3.00)	2500-000			
		TEJAS TAX DATA	Memo Amount: (48.00)	2500-000			
		C DANIEL ROBERTS & ASSOCIATES	Memo Amount: (175.00)	2500-000			

Page Subtotals

47,811.45

15.05

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 3

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Bank Name: Union Bank
Account Number / CD #: *****7936 Checking - Non Interest

Taxpayer ID No: *****9142
For Period Ending: 12/31/17

Blanket Bond (per case limit): \$ 5,000,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
		GOVERNMENT RECORDING DOCUMENTS	DOCUMENT PREPARATION Memo Amount: (28.00)	2500-000			
		C DANIEL ROBERTS & ASSOCIATES	GOVERNMENT RECORDING DOCUMENTS Memo Amount: (100.00)	2500-000			
		BURNET COUNTY, TX	COPY/WIRE/COURIER FEE Memo Amount: (39,128.99)	4800-000			
		CAPITAL FARM CREDIT	UNPAID PROPERTY TAXES - 2015 Memo Amount: (626,631.16)	4110-000			
08/11/16	5	GILBREATH & COMPANY PO BOX 1264 FRIENDSWOOD, TX 77549	PAY OFF FIRST MORTGAGE SETTLEMENT OF ADVERSARY	1241-000	10,000.00		92,145.30
10/07/16	5	SECURITY STATE BANK & TRUST J. BRYAN HICKS 901 2ND STREET MARBLE FALLS, TX 78654	SETTLEMENT OF ADVERSARY	1241-000	5,000.00		97,145.30
03/06/17	001004	INTERNATIONAL SURETIES, LTD. SUITE 420 701 POYDRAS ST. NEW ORLEANS, LA 70139	Bond Payments	2300-000		17.48	97,127.82
04/11/17	001005	JOHN MOSLEY 3834 SPICEWOOD SPRINGS ROAD SUITE 202 AUSTIN, TX 78759	Accountant fees (other firm) PER ORDER OF 4/10/17 PER ORDER OF 4/10/17	3410-000		537.53	96,590.29
04/17/17	001006	C Daniel Roberts & Associates, PC 1602 E Cesar Chavez Austin, Texas 78702	Attorney for Debtor Fees PER ORDER OF 4/17/17 PER ORDER OF 4/17/17	3110-000		24,072.00	72,518.29
04/17/17	001007	C Daniel Roberts & Associates, PC 1602 E Cesar Chavez Austin, Texas 78702	ATTY FOR TRUSTEE EXP (TRUS. FIRM) PER ORDER OF 4/17/17 PER ORDER OF 4/17/17	3120-000		187.89	72,330.40

Page Subtotals

15,000.00

24,814.90

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 4

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Taxpayer ID No: *****9142
For Period Ending: 12/31/17

Blanket Bond (per case limit): \$ 5,000,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
07/13/17	001008	C . DANIEL ROBERTS, TRUSTEE 1602 EAST CESAR CHAVEZ AUSTIN TX 78702	TRUSTEE COMPENSATION PER ORDER OF 7/6/17 PER ORDER OF 7/6/17	2100-000		36,069.19	36,261.21
07/13/17	001009	C . DANIEL ROBERTS, TRUSTEE 1602 EAST CESAR CHAVEZ AUSTIN TX 78702	Trustee Expenses PER ORDER OF 7/6/17 PER ORDER OF 7/6/17	2200-000		1,261.21	35,000.00
07/13/17	001010	JOHN PATRICK LOWE CHAPTER 7 TRUSTEE 218 NORTH GETTTY STREET UVALDE, TX 78801	TRUSTEE'S COMPENSATION PER ORDER OF 7/6/17	2100-000		35,000.00	0.00

Memo Allocation Receipts: 767,000.00
Memo Allocation Disbursements: 719,188.55

Memo Allocation Net: 47,811.45

COLUMN TOTALS 97,811.45 97,811.45 0.00
Less: Bank Transfers/CD's 0.00 0.00
Subtotal 97,811.45 97,811.45
Less: Payments to Debtors 0.00
Net 97,811.45 97,811.45

Total Allocation Receipts: 767,000.00
Total Allocation Disbursements: 719,188.55

Total Memo Allocation Net: 47,811.45

TOTAL - ALL ACCOUNTS NET DEPOSITS NET DISBURSEMENTS ACCOUNT BALANCE
Checking - Non Interest - *****7936 97,811.45 97,811.45 0.00

97,811.45 97,811.45 0.00

(Excludes Account Transfers) (Excludes Payments To Debtors) Total Funds On Hand

Page Subtotals 0.00 72,330.40